

Order

Michigan Supreme Court
Lansing, Michigan

February 4, 2011

Robert P. Young, Jr.,
Chief Justice

141296

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

ROBERT ADAIR,
Plaintiff-Appellee,

v

SC: 141296
COA: 288286
Macomb CC: 07-003776-CK

UTICA COMMUNITY SCHOOLS,
Defendant,

and

UTICA SKILLED TRADES ASSOCIATION,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 13, 2010 judgment of the Court of Appeals is considered, and it is DENIED, there being no majority in favor of granting leave to appeal or taking other action.

YOUNG, C.J., and MARKMAN and MARY BETH KELLY, JJ., would reverse the judgment of the Court of Appeals, for the reasons stated in the Court of Appeals dissenting opinion, and remand this case to the Macomb Circuit Court for entry of a judgment consistent with that opinion

ZAHRA, J., did not participate because he was on the Court of Appeals panel.



d0201

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 4, 2011

Corbin R. Davis

Clerk